

**C A D W A L A D E R**

Cadwalader, Wickersham & Taft LLP  
New York London Charlotte Washington Beijing

One World Financial Center, New York, NY 10281  
Tel 212 504 6000 Fax 212 504 6666  
www.cadwalader.com

August 14, 2007

**VIA FED-EX**

Ms. Pam Hoelsken  
Chief Operating Officer  
Cavell USA Inc.  
2 Central Square  
Cambridge, MA 02139

**NOTICE OF LAWSUIT AND REQUEST FOR WAIVER OF SERVICE OF  
SUMMONS**

TO: Ms. Pam Hoelsken  
{as Chief Operating Officer of Cavell USA Inc.}

A lawsuit has been commenced against Cavell USA Inc., the entity on whose behalf you are addressed. A copy of the complaint is attached to this notice. It has been filed in the United States District Court for the Southern District of New York and has been assigned docket number 07 cv 7032 (RMB) (KNF).

This is not a formal summons or notification from the court, but rather my request that you sign and return the enclosed waiver of service in order to save the costs of serving you with a judicial summons and an additional copy of the complaint. The cost of service will be avoided if I receive a signed copy of the waiver within 30 days after the date designated below as the date on which this Notice and Request is sent. I enclose a stamped and addressed envelope for your use. An extra copy of the waiver is also attached for your records.

If you comply with this request and return the signed waiver, it will be filed with the court and no summons will be served on you. The action will then proceed as if you had been served on the date the waiver is filed, except that you will not be obligated to answer the complaint before 60 days from the date designated below as the date on which this notice is sent.

If you do not return the signed waiver within the time indicated, I will take appropriate steps to effect formal service in a manner authorized by the Federal Rules of Civil Procedure and will then, as authorized by the Rules, ask the court to require the party on whose behalf you are addressed to pay the full costs of such service. In that connection, please read the

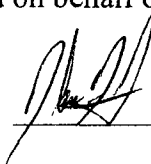
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statement concerning the duty of parties to waive service of the summons, which is set forth at the foot of the waiver form.

Enclosed please also find notice that the initial pre-trial conference is set for September 14, 2007.

I affirm that this request is being sent to you on behalf of the plaintiff, this 14th day of August, 2007.

A handwritten signature in black ink, appearing to read 'JF Finnegan', is written over a horizontal line.

John F. Finnegan  
Cadwalader, Wickersham & Taft LLP  
One World Financial Center  
New York, NY 10281

JFF